

MINUTES OF WATERWAYS MANAGEMENT COMMISSION MEETING

APRIL 17, 2013

A meeting of the Waterways Management Commission was duly called and held on Wednesday, April 17, 2013 at 7:08 p.m. at Dartmouth Town Hall. The meeting was called to order by the Chairman, Roger Race. The following people were present: Chris Hemingway, Joseph Hannon, Gerald Clark and Warren Hathaway. Excused were Gerald Hickey and Michael Gill. Also present was Mr. Steven Melo, Harbormaster and Mr. Anthony Savastano, Town Counsel.

Mr. Race reviewed the agenda which consisted of a meeting with South Wharf/Heritage Wharf to discuss their plans. It was moved and seconded to accept the minutes.

Mr. Savastano gave summary of the developments with South Wharf to date. Mr. Savastano said that the WMC couldn't make any judgments, just recommendations. He said the original plan was made a year ago, with a second plan submitted. He said that this area is in the village business district and a special permit can be granted if the uses don't interfere with current village business. He said the applicant would submit a preliminary plan at which time all plans and concerns would be addressed. He said one of the concerns addressed was public access to the waterfront. He said the meeting with the WMC is to review and ask questions of the group as an advisory board.

Mr. David Nolan, owner of South Wharf, was present. He said that there is an ongoing lawsuit with the Town and they are trying to get a plan that will be beneficial to all parties. He said that the Planning Board has asked him to get community input on his plans and he has met with the businesses and residents to listen to their concerns. They have also met with the Dartmouth Fire Department and the New Bedford Yacht Club.

Mr. Mark Schmid, Architect of the Project, was present. He presented a slide presentation of the plans. He said that there has been a lot of improvements done since Mr. Nolan owned the property. The plan showed the existing slips and buildings on the property when Mr. Nolan purchased the property. He said that Mr. Nolan is a committed owner and is trying to maintain the property. The submitted plans are what can be done under the pre-existing regulations and the Planning Board feels that the plan doesn't meet the new village zoning district. He said the new plans are in response to the new by-laws. He stated that the focal point would be a seaside inn with a restaurant and meeting room along with some small retail spaces. The residential buildings will be 2-1/2 to 3 story buildings at the back of the property with parking underneath. The slips and dingy dock that exist will not change. There will be parallel and angle parking in front of the retail stores. There will be a 14-ft. boardwalk along the waterfront open to the public with no gates allowing walking through the complex. At the end of South Wharf will be a restaurant with seating up to 170 including outside seating. The boardwalk will extend to the restaurant. There will be an area where boats can tie up to go into the restaurant. The area where the fireboat is now will remain there. There will be a launch service to bring the boaters to the restaurant. There will be public facilities for the public's use. He presented a slide show what the area will look like. It will have the look and character of an old New England Village. Mr. Race asked if there would be an area where the boaters can park to load and unload their cars. Mr. Nolan said presently there is no parking in the boat yard from 7 am – 4 pm and thereafter parking by permit only. Mr. Nolan said all parking spaces will be open to the public but not all slips will have parking. Mr. Race said that parking is a big concern of the residents. Mr. Smit said there would be 115 parking spaces between the inn, shopping and restaurant.

Mr. Nolan said he is trying to settle the lawsuit to everyone's satisfaction. He said the Planning Board wants public access to the area. He wants what is best for the village and also his company. His company is yacht sales and he wants it to stay on the property; and will have in-service help for the boaters.

Mr. Hemingway asked if the wharf would have public access. Mr. Nolan said the public will have access to walk the waterfront and the area will be open to the public. He is hoping the area will encourage people to visit it. Mr. Hemingway asked about a pump-out station. Mr. Nolan thinks this is a good idea and he has an underground system that allows pumpouts and it is built into the sewer system and once working will be a valuable asset.

Mr. Melo asked about hurricane haul-outs. Mr. Nolan said he will haul out his customers and can haul about 50 vessels. He said that haul-outs are part of his customers' agreements with him. He said that a lot of the people have their own back up plans for hauling out boats in case of emergencies.

Mr. Clark said he feels that the area is losing a boatyard and getting a retail area. Mr. Nolan said that when the zoning was changed after he purchased the area it is forcing him to change his plans; he said he wouldn't have changed his plans if the zoning didn't change. Mr. Clark said he respects the business decisions Mr. Nolan has made.

Mr. Hathaway said he feels that losing the boatyard will put more pressure on the Town Landing in regard to hauling boats in and out of the water. Mr. Nolan doesn't feel this way, that most boaters now use the landing. Mr. Hannon said he doesn't want to impact the Town resources more. Mr. Nolan said that people would have to plan ahead.

Mr. Hannon asked about the pressure of village parking. Mr. Nolan said that the village parking situation is very valid and he has made compromises due to this; he is reviewing the option of moving the buildings back to create more parking but still maintaining a village feeling.

Public Comment.

Mr. Brody McGregor, former owner of Concordia, stated that there is a lot of good thought put into these plans and wonders what input the public has had in these plans, he said he thought waterfront property has to be maintained for waterfront purposes. Mr. Savastano said that he would like to address this with the Planning Board. Mr. Race said he feels the plans are displacing some uses and replacing them with other uses. Mr. Clark said he would like Mr. Nolan to keep the WMC up-to-date with his plans. Mr. Race agreed.

Mr. Schmid said that Padanaram was a big village and Mr. Nolan is trying to restore some business back to be village.

It was moved and seconded to adjourn the meeting at 8:05 p.m.

Respectfully submitted,

Diane L. Vieira